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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,049	01/28/2002	David Sharoni	P-3944-US	1913
49443 7590 06/14/2007 PEARL COHEN ZEDEK LATZER, LLP 1500 BROADWAY 12TH FLOOR NEW YORK, NY 10036			EXAMINER AZARIAN, SEYED H	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 06/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/056,049	Applicant(s) SHARONI ET AL.	
	Examiner Seyed Azarian	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                                  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____   |

## **RESPONSE TO AMENDMENT**

1. Applicant's amendment filed, 5/15/2007, see page 7 through page 10, of the remarks, with respect to the rejection of claims 1-8 and 10-20 have been fully considered but they are moot in view of the new ground (s) of rejection is necessitated by applicant's amendment.
2. Based on in person interview with applicant's representative, Zeev Pearl, as examiner stated in the interview summary to modify the claim and further changes may overcome the prior art, but agreement was not reached.
3. Applicant's argues in essence regarding claim 1, 8, 10 and 18, that neither Fernandez nor Johnson does not teach, "control unit automatically and dynamically instructs application bank to install....." and further "to install in real-time after receiving an alert".

Contrary to the applicant's assertion, Fernandez discloses, (column 1, line 44-46, "control software "dynamically" stores one or more positional and relative movement as well as optical associated map data", further Fig. 1, column 2, lines 1-3, system or apparatus for performing "real-time", historical and/or predictive monitoring and data processing of one or more remote or local object. Also, column 4, lines 43-56, "facility monitoring application, detectors 3 may be implemented to sense state and other measurement signals from motion detector, burglar alarm, door or window open/close detector smoke detector..... In certain instances such as unauthorized home entry, such sense state may trigger (automatically) other functionality, such as taking electronic photograph and/or notifying certain entities" (automatic install after alert without user input). Also, column 5, line 61 through column 6, line 4 control software preferably including one or more modules described hereunder and provided in whole or in part in storage

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for execution (installs) by processor in target unit and /or controller to enable communications between such fixed and mobile components, maintain object data status).

Furthermore, regarding applicant's argument, "post alert action rules" Fernandez discloses column 6, line 63 through column 7, line 2, software 66 is configured or updated via database records, object movement and observation rules, controller communications therewith, as well as related transactions, diagnosis, of observations at detector sites, but does not explicitly say "post alert". Johnson teaches (column 6, lines 58-67, software 66 is configured or update via database records, object movement and observation rules, object target unit or controller communications therewith (rules or instructions). Fig. 3, element 120 (analyze event) column 5, lines 47-67; monitoring system CPU indicating an alert object has taken place. Having once received an alert notification, the system next determines if the received alert is valid. If found invalid the system advises the improved alert monitoring system that an error has occurred (as it mentioned in detail description page 7, refer to alert notification), also in Fig. 3 element 120 Johnson clearly teaches that once alarm activates system automatically analyzes the event.

Further column 8, lines 44-53, such modules may be combined into seamless programs or multiple distinct cooperating program components.

Finally, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art, because it provides a processing unit (CPU) that automatically analyzes and validates alert

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information once an alarm event occurs, which can easily be implemented to the software storage modules of an integrated surveillance system).

### **Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4-8 and 10-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al (U.S. patent 6,697,103) in view of Johnson (U.S. patent 6,275,855).

Regarding claim 1, Fernandez discloses a system comprising: two or more processing units, each coupled to a respective video or audio sensor each of which receives video or audio data from said sensor and processes said video or audio data according to one or more content-analysis applications installed therein (column 2, line 66 through column 3, line 50, controller may include one or more (two) standard digital microprocessor unit, operating system software windows, digital storage devices (disk memory, cache, etc), output/input devices (keyboard, monitor, mouse, microphone, speaker, camera), furthermore, controller may include conventional network, accessing interface firmware or circuit, such as Ethernet card, remote processing or network access software such as web, navigator, Microsoft, or streamed video or audio data, also controller 6, which in combination with network 8, communication 7, as well as server 5, and corresponding detector 3 “coupled and are located in relative fixed locations” are installed at preferably fixed, although possibly slightly movable, physical sites or location in

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deliberate and distributed fashion, also column 5, lines 42-67 through column 6, lines 11-42, target units 4 may couple wirelessly to at least one controller 6 through network 8, target unit 4 may include sensor unit 44, sensor unit 44 may include one or more video cameras, active sensor, microphone or other optical, medical, or physical monitoring device to provide real-time object data, such as audio/video signals, target unit 4 input sensor 44 processes authenticated voice pattern. Communicator 46 is coupled to sensor unit 44 to send or receive real-time or store-and-forward object data or packets generated by sensor 44, processor 48 and memory 49 including operating and web browser software are also provided to enable access and/or processing of data received from sensor 44 and accessible via any corresponding server equipment coupled thereto);

application bank coupled to said processing units, said application bank comprising content-analysis applications; (column 8, lines 20-61, Fig.3 shows block diagram of controller 6, includes microprocessor 48 and storage 49 and software 66 (application bank) which consists of a layered arrangement of application modules for analyzing and/or processing data);

a control unit having installed therein a set of post-alert action rules, the control unit coupled to said processing units and to said application bank, said control unit automatically, without user input, and dynamically instructs said application bank to install in real-time after receiving an alert from one or more of said processing units, at least one of said applications into at least one of said processing units based on at least one of said post-alert action rules (column 8, lines 35-38, an innovative instruction code and any related firmware or circuitry/equipment for analyzing and/or processing data, also column 1, line 44-46, "control software dynamically stores one or more positional and relative movement as well as optical associated map data",

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further Fig. 1, column 2, lines 1-3, system or apparatus for performing “real-time”, historical and/or predictive monitoring and data processing of one or more remote or local object. Also, column 4, lines 43-56, “facility monitoring application, detectors 3 may be implemented to sense state and other measurement signals from motion detector, burglar alarm, door or window open/close detector smoke detector..... In certain instances such as unauthorized home entry, such sense state may trigger other functionality, such as taking electronic photograph and/or notifying certain entities” (automatic install after alert without user input). Also, column 5, line 61 through column 6, line 4 control software preferably including one or more modules described hereunder and provided in whole or in part in storage for execution (installs) by processor in target unit and /or controller to enable communications between such fixed and mobile components, maintain object data status).

However, Fernandez discloses (column 4, lines 43-67, facility monitoring application, detectors 3 may be implemented to sense state and other measurement signals from motion detector, burglar alarm. In certain instances unauthorized home entry, such as taking electronic photograph and /or notifying certain entities. In this home application such appliance may couple electrically to network, via server or other functionally equivalent interface, for example using standard electrical signaling interface such as USB, IEEE or so called interface for communication through standard electrical lines coupled thereto. Optionally, detectors 3 may be coupled to control mechanism for adjusting detector operation, also column 8, lines 35-48, modules are customizable and adaptable according to need of object surveillance, modules may be combined into common seamless programs or partitioned into multiple distinct cooperating program components, an innovative instruction code (notify) and any related firmware or

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circuitry/equipment for analyzing and/or processing data also column 9, lines 25-33, database structure 162 may include schedule or temporal scheme associated with one or more object presence, movement and/or observed condition, control software 66 may compare, record or alert), but does not explicitly state, "base on an alert received from one or more of said processing units". On the other hand Johnson in the same field of integrated surveillance systems teaches monitoring system central processing unit validates such "alert information", apprises the operator of status modification with respect to all objects monitored, provides for historical, or precipitating event "analysis", and facilitates the input of remedial entries by connecting to the monitored system, also column 2, line 66 through column 3, line 9, when a monitored alert object event has occurred, provide a vehicle to analyze information relevant to the occurrence of that event, also Fig. 1, column 3, line 57 through column 4, line 7, a second processing unit executing an improved alert monitoring system program, further, Fig. 3, element 120 (analyze event) column 5, lines 47-67, monitoring system CPU indicating an alert object has taken place. Having once received an alert notification, the system next determines if the received alert is valid. If found invalid the system advises the improved alert monitoring system that an error has occurred (as it mention in detail description page 7, refer to alert notification), also in Fig. 3 element 120 Johnson clearly teaches that once alarm is activates system automatically analyzes the event, also column 5, lines 46-65).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fernandez invention according to the teaching of Johnson because it provides a processing unit (CPU) that automatically analyzes and validates alert information



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once an alarm event occurs, which can easily be implemented to the software storage modules of an integrated surveillance system).

Regarding claim 2, Fernandez discloses the system of claim 1, wherein at least one of said content-analysis application is a video movement-detecting application, a video based people counting application, a face detection and recognition application, a voice detection and, recognition application, an object detection application or a recognition and surveillance application (column 8, lines 40-43, object movement processing 163, visual object analyzer also column 6, lines 24-25, sensor 44 processes for voice recognition).

Regarding claim 4, Fernandez discloses the system of claim 1 further comprising at least one additional processing unit coupled to a sensor, which is a smoke sensor, a fire sensor, a motion detector, a sound detector, a presence sensor, a movement sensor, a volume sensor or a glass breakage sensor (column 3, lines 43-46, combined or integrated fixed and mobile network arrangement, controller 6, which in combination with network 8, communicator 7, servers 5, and corresponding detectors 3 coupled thereto, also column 4, lines 43-46, detectors 3 may be implemented to sense measurement signals from motion detector, burglar alarm, smoke detector).

Regarding claim 5, Fernandez discloses the system of claim 1 further comprising a database to store indexing data associated with said video or audio data (column 4, lines 16-22, integrated system database maintains and updates past, current, location for each sensor coupled to the system, as function of time or schedule, also column 9, lines 25-29, database structure 162 may include schedule or other temporal scheme associated with one or more object presence, movement and/or other observed condition in one or more monitored locations).

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Regarding claim 6, Fernandez discloses the system of claim 1, wherein said application bank, said control unit and said processing units are all coupled via a local area or a wide area network (column 2, lines 66-67 thru column 3, lines 1-11, controller 6 may include one or more digital microprocessor unit, operating system software, digital storage devices, output/input devices such as microphones, cameras, and interface with remote processing or “network access” software for streamed video or audio data also, also column 5, lines 42-67 thru column 6, lines 11-42, target units 4 may couple wirelessly to at least one controller 6 through network 8, target unit 4 may include sensor unit 44, sensor unit 44 may include one or more video cameras, active sensor, microphone or other optical, medical, or physical monitoring device to provide real-time object data, such as audio/video signals, target unit 4 input sensor 44 processes authenticated voice pattern. Communicator 46 is coupled to sensor unit 44 to send or receive real-time or store-and-forward object data or packets generated by sensor 44, processor 48 and memory 49 including operating and web browser software are also provided to enable access and/or processing of data received from sensor 44 and accessible via any corresponding server equipment coupled thereto).

Regarding claim 7, Fernandez discloses the system of claim 1, wherein said processing unit is able to notify said control unit when one of said applications installed in said processing unit detects a predefined condition associated with at least a portion of said audio or video data (column 9, lines 25-33, database structure 162 may include schedule or temporal scheme associated with one or more object presence, movement and/or observed condition, control software 66 may compare, record or alert).

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Regarding claim 8, Fernandez discloses a system comprising: an application bank having one or more content-analysis applications, a processing unit, coupled to said application bank and to a video sensor wherein said processing unit receives video data from said sensor processor said according at least one of said content-analysis application installed therein and sends an alert when a predefined condition associated with at least a portion of said data is detected; (see claim 1, also column 2, lines 66-67 thru column 3, lines 1-11, controller 6 may include one or more digital microprocessor unit, operating system software, digital storage devices, output/input devices such as microphones, cameras, and interface with remote processing or network access software for streamed video or audio data also, also column 5, lines 42-67 thru column 6, lines 11-42, target units 4 may couple wirelessly to at least one controller 6 through network 8, target unit 4 may include sensor unit 44, sensor unit 44 may include one or more video cameras, active sensor, microphone or other optical, medical, or physical monitoring device to provide real-time object data, such as audio/video signals, target unit 4 input sensor 44 processes authenticated voice pattern. Communicator 46 is coupled to sensor unit 44 to send or receive real-time or store-and-forward object data or packets generated by sensor 44, processor 48 and memory 49 including operating and web browser software are also provided to enable access and/or processing of data received from sensor 44 and accessible via any corresponding server equipment coupled thereto, also column 8, lines 20-61, Fig.3 shows block diagram of controller 6, includes microprocessor 48 and storage 49 and software 66 (application bank) which consists of a layered arrangement of application modules for analyzing and/or processing data);

a control unit having installed therein a set of post-alert action rules, the control unit coupled to said processing unit and to said application bank, said control unit able to instruct

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automatically, without user input, and dynamically said application bank to install in real-time after receiving the alert another one of said applications into said processing unit based on said alert (See claim 1, also column 8, lines 35-38, an innovative instruction code (notify) and any related firmware or circuitry/equipment for analyzing and/or processing data also column 9, lines 25-33, database structure 162 may include schedule or temporal scheme associated with one or more object presence, movement and/or observed condition, control software 66 may compare, record or alert).

Regarding claim 10, Fernandez discloses detecting a predefined condition associated with at least a portion of an audio or video data received from a video or audio sensor, by processing the data according to one or more content-analysis application, sending an alert based on the detected predefined conditions, and installing a content-analysis applications into a video or audio processing unit from an application bank having content analysis application according to said alert received from said processing unit or another processing unit coupled to said application bank (see claims 1 and 7, also column 5, lines 42-67 thru column 6, lines 11-42, target units 4 may couple wirelessly to at least one controller 6 through network 8, target unit 4 may include sensor unit 44, sensor unit 44 may include one or more video cameras, active sensor, microphone or other optical, medical, or physical monitoring device to provide real-time object data, such as audio/video signals, target unit 4 input sensor 44 processes authenticated voice pattern. Communicator 46 is coupled to sensor unit 44 to send or receive real-time or store-and-forward object data or packets generated by sensor 44, processor 48 and memory 49 including operating and web browser software are also provided to enable access and/or

processing of data received from sensor 44 and accessible via any corresponding server equipment coupled thereto).

Regarding claim 11, Fernandez discloses the method of claim 10 further comprising: recording at least a portion of said data (column 9, lines 25-33, database structure 162 may include schedule or temporal scheme associated with one or more object presence, movement and/or observed condition, control software 66 may compare, record or alert).

Regarding claim 13, Fernandez discloses the method of claim 10 further comprising: providing to a client computer a real-time stream of video data, audio data or a combination thereof upon receiving a request from said client computer (column 3, lines 4-13, conventional access interface firmware or circuit, such as Ethernet card, and remote processing or network access network such as web browser using streamed video or audio data format, in this configuration, real-time or stored remote and/or local access is achieved via the internet; also, column 12, lines 20-24, continuous or dynamic streaming about object may be obtained in live video or audio feeds invoked by user request).

Regarding claim 14, Fernandez discloses the method of claim 10, further comprising: providing to a client computer a real-time stream of video data, audio data or a combination thereof according to a predetermined time-based schedule (column 6, lines 59-60, controller user may provide input to specify or request (schedule) current or future monitoring or surveillance; also, column 9, lines 25-30, database structure 162 may include schedule or other temporal scheme associated with one or more object presence, movement and/or other condition, user therefore may compare ).

Regarding claim 15, Fernandez discloses the method of claim 13 wherein providing said real-time data comprises providing synchronized video data received from at least two sensors (column 3, lines 40-42, more than one detector may be accessible, in parallel or multiplexed).

Regarding claim 17, Fernandez discloses the method of claim 11 further comprising: down-loading at least one content-analysis application from said application bank to a client computer; providing to said client computer recorded data upon receiving a request from said client computer; and processing said recorded data according to at least one of said installed applications (column 5, lines 5-8, user may download object data; also column 8, lines 31-37, software 66 includes operating system such as browser software for accessing any related circuitry/equipment for analyzing and/or processing data).

Regarding claim 12, arguments analogous to those presented for claim 7 are applicable.

Regarding claim 16, arguments analogous to those presented for claim 15 are applicable.

Regarding claims 18-20, arguments analogous to those presented for claims 1 and 15 are applicable.

6. Claim 3, is rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al (U.S. patent 6,697,103) in view of Johnson (U.S. patent 6,275,855) as applied to claims above and further in view of Monroe (U.S. patent 6,246,320).

However regarding claim 3, neither Fernandez nor Johnson explicitly state, "a video compression application". On the other hand Monroe in the same field of integrated surveillance systems teaches that functions such as a video compressor such as JPEG may all be performed as software (Fig. 3, column 12, line 66 through column 13, line 16).

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Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fernandez and Johnson invention according to the teaching of Monroe because it provides video compression software, which can easily be implemented to the software storage modules of an integrated surveillance system).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### **Contact Information**

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (571) 272-7443. The examiner can normally be reached on Monday through Thursday from 6:00 a.m. to 7:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR.

Status information about the PAIR system, see [http:// pair-direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Seyed Azarian*  
*Patent Examiner*  
*Group Art Unit 2624*  
June 9, 2007

